

36:89 MOTION - TO VACATE, SET ASIDE, OR CORRECT
SENTENCE - BY PERSON IN STATE CUSTODY -
NORTHERN DISTRICT OF ILLINOIS

DEC 13 2007

FILED

DEC 13 2007 *aw*

SHAUNCEY JACKSON
NAME

R82054
PRISON No.

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

LINCOLN CORRECTIONAL CENTER
PLACE OF CONFINEMENT

07cv7010
Judge SHADUR
Mag. Judge MASON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA

VS.

99 CR 261-1
CASE NO.

SHAUNCEY JACKSON

MOTION PURSUANT TO
28 U.S.C. 2255 TO
VACATE, SET ASIDE OR
CORRECT SENTENCE

1) NAME AND LOCATION OF COURT WHICH ENTERED THE JUDGEMENT OF CONVICTION:

A) UNITED STATES DISTRICT COURT FOR NORTHERN ILLINOIS
219 S. DEARBORN CHICAGO, IL 60604

B) CIRCUIT COURT OF COOK COUNTY
2650 S. CALIFORNIA CHICAGO, IL 60608

2) DATE JUDGEMENT OF CONVICTION WAS ENTERED:

A) SEPTEMBER 26, 2007 (FEDERAL)

B) SEPTEMBER 25, 2007 (STATE)

3) CASE NUMBER:

A) 99 CR 261-1 (FEDERAL)

B) 06 CR 1222201 (STATE)

4) LENGTH AND TERMS OF SENTENCE:

A) 7 MONTHS (FEDERAL SENTENCE)

B) 2 YEARS (STATE SENTENCE)

5) ARE YOU PRESENTLY SERVING A SENTENCE IMPOSED FOR A CONVICTION OTHER THAN THE CONVICTION IN THIS MOTION? YES

6) NAME OF JUDGE WHO IMPOSED SENTENCE IN THIS MOTION:

A) JUDGE MILTON SHABUR (FEDERAL)

B) JUDGE WILLIAM LACY (STATE)

7) NATURE OF THE OFFENSE INVOLVED:

A) VIOLATION OF FEDERAL PROBATION (BANK ROBBERY) (FED. CHARGE)

B) CRIMINAL DAMAGE TO PROPERTY (STATE CHARGE)

8) WHAT WAS YOUR PLEA?

A) GUILTY (FEDERAL)

B) GUILTY (STATE)

9) IF YOU ENTERED A PLEA OF GUILTY PURSUANT TO A PLEA BARGAIN, STATE THE TERMS AND CONDITIONS OF THE AGREEMENT:

A) THAT ON SEPT. 26, 2007 JUDGE SHADUR (FEDERAL JUDGE)

1. REVOKED FEDERAL PROBATION OF CASE NO. 99 CR 261-1

2. SENTENCED DEFENDANT TO 7 MONTH TERM

3. STATED AND CONSENTED THAT FEDERAL VIOLATION OF PROBATION CASE NO. 99 CR 261-1 AND STATE SENTENCE SHOULD BE RUN

CONCURRENT

B) THAT ON SEPT. 25, 2007 JUDGE LACY (STATE JUDGE)

1. SENTENCED DEFENDANT TO 2YR. TERM

2. ORDERED STATE SENTENCE CASE NO. 06 CR 12222-01 BE

RUN CONCURRENT WITH FEDERAL CASE (STATE MITTIMUS ENCLOSED)

10) IF YOU DID NOT APPEAL, EXPLAIN BRIEFLY WHY YOU DID NOT:

THERE ARE NO GROUNDS FOR AN APPEAL, NOR AM I DISPUTING THE SENTENCE OR TERMS BESTOWED UPON ME:

1. HOWEVER, I DID ACCEPT A GUILTY PLEA WITH THE STIPULATIONS THAT BOTH FEDERAL AND STATE CASES 99 CR 261-1

06 CR 12222-01

BE RUN CONCURRENT. HOWEVER FEDERAL CASE NO. 99 CR 261-1 HAS A DETAINER ON ABOVE STATED DEFENDANT, WHICH WOULD SURPASS THE 7 MONTH FEDERAL SENTENCE IMPOSED.

(C) Direct Relief of Grounds ONE :

11) HAVE you previously filed any type of petition, application, or motion in a Federal Court REGARDING the RELIEF you CHALLENGE in this petition?

THEREFORE, PETITIONER ASK THAT THE COURT GRANT THE FOLLOWING RELIEF:
 WHEREIN WE PRAY THAT THE HONORABLE JUDGE SHABUR
 IN THE UNITED STATES NORTHERN DISTRICT COURT OF ILLINOIS
 CONSIDER THE FACTS PRESENTED HEREIN AND RUN FEDERAL CASE
 NO. 99 CR 261-1 CONCURRENT WITH STATE CASE NO. 06 CR1222201
 CONCURRENT. THEREFORE SENDING A CORRECTED MITTIMUS CONSIDERING
 ALL TIME SERVED FROM JULY 25, 2007 TO MARCH 9, 2008 AND LIFTING
 FEDERAL DETAINER BY GRANTING THIS MOTION.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
 CORRECT AND THAT THIS PETITION FOR WRIT OF HABEAS CORPUS WAS PLACED IN
 THE PRISON MAILING SYSTEM ON DECEMBER 7, 2007 (MONTH, DATE, YEAR)

EXECUTED (SIGNED) ON DEC 7, 2007 (DATE)

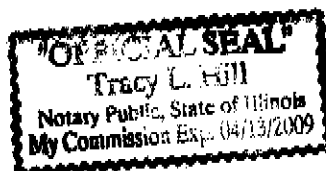
SUBSCRIBED AND SWORN TO BEFORE

ME ON THIS 7 DAY OF December 2007

Tracy L. Hill

NOTARY PUBLIC

Shamney Jackson
 SIGNATURE OF PETITIONER



U.S. Department of Justice
United States Marshals Service



DETAINDER

BASED ON FEDERAL JUDGMENT AND COMMITMENT

United States Marshal
Central District of Illinois
(District)

600 E. Monroe St.
Springfield, IL 62701
(217) 492-4430

(Return Address and Phone)

Please type or print neatly:

TO: Lincoln Correctional Center
P.O. Box 549
Lincoln, IL 62656
Attn: Records Office

DATE: November 20, 2007
SUBJECT: JACKSON, Shauncey
AKA: JACKSON, Shauncey
DOB/SSN: 05/24/1970 322-66-5454
REF. # R82054
USMS #: 10443-424
CR #: 99 CR 261-1

Please accept this Detainer against the above-named subject who is currently in your custody. The United States District Court for the Northern District of Illinois has issued a **Judgment and Commitment Order** against the subject. The attached **Judgment and Commitment Order** commits the subject to the custody of the U.S. Attorney General to serve the following sentence of imprisonment:

7 months custody of the U.S. Bureau of Prisons

Prior to the subject's release from your custody, please notify this office at once so that we may assume custody of the subject for service of his Federal sentence of imprisonment. If the subject is transferred from your custody to another detention facility, we request that you forward our Detainer to said facility at the time of transfer and advise this office as soon as possible. The notice and speedy trial requirements of the Interstate Agreement on Detainers Act do NOT apply to this Detainer.

Please acknowledge receipt of this Detainer. In addition, please provide one copy of the Detainer to the subject and return one copy of the Detainer to this office in the enclosed self-addressed envelope.

RECEIPT	
Date:	<u>11-26-07</u>
Signed:	<u>Shauncey Jackson</u>
By:	<u>Jenna Montcalm</u>
Title:	<u>Office Assoc.</u>

Very truly yours,

Jill Good
(Signature)

Steven Deatherage
U.S. Marshal

Requested by: Jill Good

*Northern District
Said Concurrent
for DWIGHT
CENTRAL District
FEDERAL Put HOLD
ON.*

IN THE
U.S. District Court of
NORTHERN District of ILLINOIS

U.S. of America
Plaintiff,

v.

SHAWNEY JACKSON
Defendant

)
)
) Case No. 99 CR 261-1
)
)
)

PROOF/CERTIFICATE OF SERVICE

TO: MICHAEL DOBBINS Office of Clerk
U.S. District Court Northern Illinois
219 S. Dearborn
Chicago, IL 60604

TO: PATRICK FITZGERALD U.S. Attorney/ Office
219 S. Dearborn
Chicago, IL 60604

PLEASE TAKE NOTICE that on December 7, 2007, I have placed the documents listed below
in the institutional mail at LINCOLN Correctional Center, properly addressed to the parties listed above
or mailing through the United States Postal Service:

- HABEAS CORPUS

- MOTION FOR AMENDED SENTENCING

In pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a
named party in the above action, that I have read the above documents, and that the information contained
herein is true and correct to the best of my knowledge.

DATE: Dec. 7, 2007

/s/ Shawney Jackson
NAME: SHAWNEY JACKSON
IDOC#: D82094
LINCOLN Correctional Center
P.O. BOX 549
LINCOLN, IL 62657